

## Message Text

CONFIDENTIAL

PAGE 01 BERLIN 00637 111749Z

70

ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 NEA-10 TRSE-00 SAJ-01 NIC-01 OMB-01 IO-14

ACDA-19 DRC-01 /144 W

----- 047352

R 111720Z APR 74

FM USMISSION BERLIN

TO AMEMBASSY BONN

INFO SECSTATE 3246

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 0637

E.O. 11652: GDS

TAGS: PGOV, WB, UR

SUBJECT: SOVIET PROTEST ON TAKE-OVER OF AMENDMENT TO LAW ON LFV

1. SUMMARY: SOVIETS APRIL 11 MADE ORAL STATEMENT TO CHAIRMAN (UK) POLAD PROTESTING TAKE-OVER IN BERLIN OF LAW AMENDING LAW ON LANDESAMT FUER VERFASSUNGSSCHUTZ (LFV, OFFICE FOR PROTECTION OF CONSTITUTION). WE PROPOSE TO COORDINATE WITH ALLIES ROUTINE ORAL RESPONSE. END SUMMARY.

2. SOVIET EMBASSY FIRST SECRETARY RODIN (SLATED TO TAKE BELETSKIY'S PLACE NEXT WEEK) BROKE PROTEST-FREE SPELL APRIL 11 WITH PRESENTATION OF ORAL STATEMENT TO (BRITISH) CHAIRMAN POLAD OBJECTING TO TAKE-OVER IN BERLIN MARCH 29 TO LAW TO AMEND LAW ON LFV. (GDR COMMISSIONER MITDANK HAD SIMILARLY PROTESTED TAKE-OVER AT HIS MEETING WITH SENAT COMMISSIONER KUNZE APRIL 5,.) INFORMAL BRITISH TRANSLATION OF SOVIET STATEMENT  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 00637 111749Z

FOLLOWS:

BEGIN TEXT: ON 29 MARCH "THE LAW ON THE MODIFICATION OF THE LAW ON THE LANDESAMT FUER VERFASSUNGSSCHUTZ" PASSED BY THE WEST BERLIN GAZETTE TO LAWS AND ORDINANCES. IN CONNECTION WITH THIS I HAVE BEEN INSTRUCTED TO STATE THAT "THE ADOPTION OF THIS LAW BY THE CITY ABGEORDNETENHAUS TOUCHES UPON QUESTIONS OF THE STATUS AND SECURITY OF BERLIN (WEST) AND CONTRADICTS THE DECISIONS OF THE QUADRIpartite AGREEMENT. MEMBERS OF THE CONSTITUTIONAL ORGANS OF THE FRG, AS IS WELL KNOWN, CANNOT CARRY OUT ANY OFFICIAL FUNCTIONS IN BERLIN (WEST), SINCE THIS WOULD REPRESENT EXERCISE OF DIRECT STATE AUTHORITY IN REGARD TO THIS CITY, AND IS PROHIBITED BY THE QUADRIpartite AGREEMENT.

HOWEVER, SUCH ACTIONS ARE ENVISAGED IN PARAGRAPHS 2 AND 3 OF THE ABOVE LAW. EQUALLY UNLAWFUL ARE ARTICLES OF THE LAW PRESCRIBING THAT THE WEST BERLIN LANDESAMT FUER VERFASSUNGSSCHUTZ "SHOULD CARRY OUT INSTRUCTIONS FROM THE FEDERATION CONCERNING RECIPROCITY IN THE SPHERE OF PROTECTION OF THE CONSTITUTION," TO DEFEND "THE EXTERNAL POLITICAL INTERESTS OF THE FRG," ETC. THE SOVIET SIDE EXPECTS THE ADMINISTRATIONS OF THE THREE POWERS TO TAKE APPROPRIATE STEPS WITH A VIEW TO ENSURING THAT THE QUADRIpartite AGREEMENT IS STRICTLY RESPECTED BY THE WEST BERLIN AUTHORITIES. END TEXT.

3. THERE WAS LITTLE DISCUSSION OF STATEMENT, BRITISH POLAD MERELY NOTING THAT LFV HAD EVERY RIGHT TO CARRY OUT ACTIONS ITSELF IN BERLIN BUT THAT HE WOULD LOOK INTO MATTER. WE PROPOSE TO COORDINATE IN BERLIN LINES FOR ROUTINE ORAL RESPONSE AND WILL REPORT THESE AS SOON AS FORMULATED.KLEIN

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW, AMENDMENTS, PERSONNEL APPOINTMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 11 APR 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** BoyleJA  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974BERLIN00637  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D740084-0660  
**From:** BERLIN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740449/aaaabspc.tel  
**Line Count:** 95  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** BoyleJA  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 22 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <22 APR 2002 by boyleja>; APPROVED <25 MAR 2003 by BoyleJA>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SOVIET PROTEST ON TAKE-OVER OF AMENDMENT TO LAW ON LFV  
**TAGS:** PGOV, WB, UR  
**To:** BONN  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005